



# City of Benbrook

## Zoning Board of Adjustments

DATE: <b>06/25/2019</b>	REFERENCE NUMBER: <b>ZBA-19-02</b>	SUBJECT: A request for the alteration of a non-conforming sign for the shopping center located 7909 Camp Bowie West Boulevard, being a portion of Tract C, Boston Heights Addition. The property is zoned "F" Commercial District. [PUBLIC HEARING]	PAGE:  <b>1 of 3</b>
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**Project Name:** Ollie's Bargain Outlet: Multi-tenant Sign

**Request Type:** Alteration of a Non-Conforming Sign

**Site Description:** 6.17 acres or 268,765sqft  
Portion of Tract C, Boston Heights Addition

**Location:** 7909 Camp Bowie West Boulevard

**Zoning District:** "F" Commercial District

**Property Owner:** Sutherland Building Material Centers LP  
Prairie Village, Kansas

**Applicant** Doug Steward  
Benbrook, TX

### Summary

The shopping center located at 7909 Camp Bowie West Boulevard, previously occupied by Sutherland's, is currently being remodeled. The property owner divided the vacant tenant space into two spaces. Ollie's Bargain Outlet recently leased one of the spaces. There are now total of three tenant spaces within the center. The property owner is proposing to alter the existing non-conforming pylon sign in order for new business to identify themselves to the public and advertise their presence on the highway.

The applicant is proposing the following as sign updates:

- Reduce the size of the sign area; from 492sqft to 310sqft.
- Reduce the height of the sign; from 40ft to 39ft.
- Repair and repaint all defects in the current framework.
- Add a masonry planter to the base.

### Background

The City does not have any historical permit information for the construction of the subject sign. It is assumed that the sign was permitted legally at the time of its construction and has been deemed legal non-conforming.

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## Staff Analysis

Non-conforming signs may not be altered, unless approved by the ZBA. The ZBA may authorize changes to a non-conforming sign if the request does not further the level of non-conformity and that the long-term goal of bringing signs into compliance is achieved. Staff finds:

- 1) The request does not further the level of non-conformity.

Pylon Sign Requirements:

- **Maximum Height:** 35ft.
  - The existing sign is 40ft in height. The proposal will reduce the height to 39ft, bringing the sign closer to conformance.
- **Minimum Front Yard Setback:** 25ft, plus 1 foot for every foot over 25ft in height.
  - The existing sign exceeds the minimum street setback requirement.
  - No proposed changes.
- **Minimum Side Yard Setback:** 25ft.
  - The existing sign exceeds the minimum side yard setback requirement.
  - No proposed changes.
- **Maximum Sign Area:** 120sqft, plus an additional 10% increase for each additional tenant; maximum of 240sqft.
  - The existing sign has 492sqft of signage area. Under the current regulations, a sign with 3 tenants would be allowed a maximum of 144sqft = 120sqft (1<sup>st</sup> tenant) + 12sqft (2<sup>nd</sup> tenant) + 12sqft (3<sup>rd</sup> tenant).
  - By reducing the sign area from 492sqft to 310sqft, the sign is coming closer to conformance.
  - This alteration does not increase the level of non-conformity.
- **Frontage Requirements:** 200ft.
  - The property exceeds the minimum frontage required. The property has approximately 312ft of frontage.
- **Design:** Requires the sign faces to be located entirely within two posts or columns. The sign face may not be located lower than 8ft from the ground.
  - The existing sign does not conform to the all design requirements. The sign cabinets are not located entirely between the two posts. The lowest cabinet, however, is more than 8ft feet above the ground.
  - The lowest cabinet is being reduced in size to fit entirely within the two posts, bringing the sign closer to conformance.
  - This alteration does not increase the level of non-conformity.

- 2) The request meets the long-term goal of bringing signs into compliance.

- In 2007, the ZBA authorized the alteration of this sign, which allowed a reduction of the sign area from approximately 660sqft to 500sqft. If approved, the

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applicant's proposal would, once again, reduce the size of the sign, bringing it even closer to conformance.

- By authorizing incremental sign alterations, which require the applicant to bring the sign closer to conformance, the ZBA is achieving the long-term goal of bringing signs into compliance.

### **Staff Recommendation**

Move to authorize the alteration of the subject pylon sign, as presented, with the following conditions:

- 1) Sign permits must be approved and issued prior to any alteration or business sign face changes; and
- 2) With an approved permit, each sign cabinet is allowed one sign face change for a new tenant.

### **Attachments:**

1. Applicants Project Narrative
2. Applicant Drawings:
  - a. Existing Sign
  - b. Proposed Sign
  - c. Site plan
  - d. Line of Site Survey
  - e. Aerial View
3. Aerial Map
4. Applicable Ordinances